

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	8:06CR323
)	
v.)	
)	
EARL ANTHONY CHANG,)	ORDER
)	
Defendant.)	
_____)	

This matter is before the Court on defendant's motion for sentencing adjustment based on 18 U.S.C. § 3624(C) and 3553(b) (Filing No. 48). The Court has reviewed the sentencing proceedings in this matter and finds that defendant was eligible for the safety valve provisions found in 18 U.S.C. § 3553(f) and also in § 5C1.2 of the United States Sentencing Guidelines, which permitted the Court to depart from the mandatory one hundred twenty (120) month sentence required by statute. The defendant was sentenced to a term of sixty (60) months, taking into consideration his cooperation and the circumstances of his confinement as a deportable alien. The factors which the defendant now asks the Court to consider have already been taken into account. The Court finds no reason to further modify his sentence, and the motion for sentencing adjustment will be denied. Accordingly,

IT IS ORDERED that defendant's motion for sentencing adjustment is denied.

DATED this 17th day of June, 2007.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court